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**Government of the District of Columbia**



**Metropolitan Police Department**

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Testimony of  
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**Chief of Police**

***Public Oversight Hearing on***  
**Metropolitan Police Department**  
**Performance in FY 2005 and FY 2006**

Committee on the Judiciary  
Phil Mendelson, Chair  
Council of the District of Columbia

February 23, 2006

Room 412  
John A. Wilson Building  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004

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Chairperson Mendelson, members of the Committee, staff and guests. I am very pleased to have this opportunity to discuss with you the Metropolitan Police Department's performance over the past year. The full text of my statement is posted on the Department's website: [www.mpdc.dc.gov](http://www.mpdc.dc.gov).

Fiscal year 2005 was another outstanding year for the Metropolitan Police Department – a year in which we continued to make significant progress toward our goal of creating a safe and secure city for all. Our progress is reflected in hard, quantifiable measurements: crime in the District of Columbia is currently at its lowest level since at least the late 1960s – a remarkable turnaround for the city. Our progress is also reflected in less tangible, but equally important measures: the continued growth and vibrancy of our city, and the stabilization and resurgence of many of our neighborhoods, including some previously troubled neighborhoods. Economic growth and neighborhood development simply do not occur when people do not feel safe, and when people are not safe. The fact that our city and our neighborhoods continue to grow and develop is, I believe, strongly related to the outstanding performance of our Police Department and our partners in government and the community.

There are certainly challenges that remain. Not all of our communities are where they should be in terms of either public safety or opportunity and development. But our progress in combating crime in communities such as Sursum Corda, Woodland Terrace and other designated hot spots demonstrates that we are committed to the safety and security of all of our neighborhoods, and that we have an effective strategy of community policing for getting us there.

Once again, I want to publicly thank and salute the men and women of the Metropolitan Police Department. Our sworn and civilian employees have worked tirelessly and successfully over the past year to make our city even safer. And their hard work – in partnership with the community – continues to reap remarkable safety benefits for our city.

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As I mentioned, the District's crime rate is at a modern, historic low. According to preliminary statistics, the number of serious crimes reported in the District declined by nearly 7 percent during calendar year 2005. This followed reductions of 18 percent during 2004 and 9 percent in 2003. As a result, our per-capita crime rate is the lowest it has been since at least 1969, the earliest year for which we have comparable figures. And after years of being listed as one of the country's 10 most dangerous cities by Morgan Quitno Press, the District has lost that dubious distinction. This past year, we were cited as one of the most improved cities when it comes to public safety.

Crime is on the decline in all parts of the city. Last year, there were reductions in each of the seven police districts. The Sixth District, in Southeast and Northeast DC east of the Anacostia River, registered the largest percent decrease: 14 percent overall, including a 30 percent drop in stolen autos, which had reached epidemic proportions in recent years.

According to preliminary figures, there were also citywide reductions last year in every major crime category except robbery. There were double-digit reductions in stolen autos (-16%), burglaries (-

14%) and forcible rapes (-12%). And while homicides declined by only three – from 198 in 2004 to 195 last year – this did mark the first time since the mid-1980s that DC recorded fewer than 200 homicides in consecutive years.

The city – and the Department – faced a real challenge with a 6 percent increase in robberies last year. Since last fall, we have instituted a number of initiatives to combat the robbery problem, and we are starting to see some progress in turning this situation around. After rising from July through November, the number of robberies started to come back down below the 2004 levels in December. The Crime Emergency that I launched on December 3<sup>rd</sup> was a significant factor in this turnaround. In 2005, the number of robberies dropped 13 percent between November and December. By contrast, over the previous two years, robberies increased an average of 9 percent between November and December.

Though there are many factors that have an impact on crime, the significant drop in the past few years could not have happened without the hard work and dedication of our police officers – in identifying and arresting dangerous offenders, removing illegal weapons from our streets, addressing relatively minor crime and disorder problems before they escalate, and working in partnership with the community and other government agencies to strengthen our neighborhoods. These and other crime-fighting activities remained strong in 2005.

For the second year in a row, officers arrested more than 50,000 criminal suspects. Last year's arrest numbers included more than 47,000 adults and nearly 3,000 juveniles. Officers also removed more than 2,300 firearms from our streets during 2005, an increase of nearly 14 percent from 2004. Crime-fighting and community policing efforts in our 14 "hot spots" remained focused during 2005. Overall crime in the hot spots was down approximately 12 percent, or nearly twice the citywide rate. Violent crime in the hot spots declined by 14 percent.

But these types of highly focused efforts are not limited to just the designated hot spots. Through our Summer Crime Initiative, the selected crime emergencies I have declared, our Mobile Force and redeployment program, and other specialized efforts, we continue to respond quickly and energetically to emerging crime problems, wherever they may occur.

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Over the past year, we also continued to work hard on the problem of juvenile crime in our city, and I am pleased to report some progress in this area as well. After surging to 24 in 2004, the number of juvenile homicide victims declined last year to 12, which has been about the average number in recent years. While the number of juveniles arrested by police remained about the same for two years in a row, the number of young people picked up on curfew violations rose by more than 150 percent last year to 3,271, reflecting the priority we place on getting young people off the streets and out of harm's way during the critical late night hours.

As you know, the MPD assumed management responsibility for school safety this school year. We have staffed and trained our full complement of School Resource Officers and supervisors, and we have implemented new standards and procedures for the hiring, training and supervision of contract security personnel in the schools. Our Office of Security Services monitors, on a daily basis, both

our efforts in the schools themselves and our efforts in combating the nexus between crime in our neighborhoods and crime in our schools. I am generally pleased with our school safety efforts to date, but recognize that we must remain ever-vigilant in protecting our schools and our school children.

Over the past year, our Department continued to carry out a number of other youth development and crime prevention initiatives, including youth advisory councils, conflict resolution teams, 40 Days of Increased Peace, a Fashion Idol program for girls, and other initiatives in each police district. Through our OPAT program – Operation Prevent Auto Theft – the MPD has worked with more than 100 juvenile offenders whose principal charge is Unauthorized Use of a Vehicle, to try to get them back on the right track. OPAT targets young, first-time offenders and their families for intensive counseling and intervention activities. It is my firm belief that these and other prevention programs are a critical component of long-term solutions to the problem of juvenile crime and violence.

But while we have made some progress on juvenile crime, I am very concerned about certain trends. I mentioned earlier that overall arrests of juveniles remained about the same in 2005. However, arrests of juveniles for robbery and weapons offenses are both up sharply – 37 percent and 30 percent, respectively. Last year, nearly one out of every three suspects arrested for robbery was a juvenile, and more and more of them seem to be armed. And tragically, the three juvenile homicides already recorded in 2006 underscore how far we still need to go. Our Department continues to refine existing strategies and explore new approaches to combat these problems. But to be effective, we will need the support of this committee and the Council in further reforming some of our juvenile justice laws, including reforms to provide our Department with more information about juveniles who have been released to the community.

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I want to update you briefly on two other important areas of performance: crime solving and staffing.

Preliminary figures indicate that over the past year, our clearance rates improved in every crime category. For homicides, the UCR clearance rate last year was 61 percent. For forcible rapes, the clearance rate was 74 percent. Not only have our clearance rates risen, they are also generally higher than the clearance rates for comparably sized cities. I am certainly not yet satisfied with our overall performance in criminal investigations, and crime solving remains one of our priorities for FY 2006. But I am pleased that our focus on investigative vigor and accountability is producing results, which we intend to build upon in the future.

I am also pleased to report continued progress on the issue of police staffing, which is a priority not only of the Department and the Council, but certainly the community as well. As you know, in May 2004, after extensive work with the community and the Council, I realigned the boundaries for the PSAs. In the 20 months since then, we have increased the number of members available for full duty in the PSAs substantially – with 170 more officers and 32 more sergeants in the PSAs. Just to be clear – these aren't just additional members assigned to the PSAs; these are members who are working full duty in the neighborhoods. The key factors in this success have been reaching and

maintaining our sworn strength, dramatically cutting the number of officers who are unavailable for full duty, and MPD's civilianization effort.

During FY 2005, we were able to maintain our sworn strength at, or very near, our fully authorized and funded level of 3,800. We appreciate the support of the Council in getting us up to 3,800, and we have worked aggressively in our recruiting and retention efforts to maintain that level – and to maintain it with a high-quality, well-trained workforce.

Perhaps more importantly, we have been able to dramatically cut the number of officers who are unavailable for full duty because of extended sick leave or other factors. Two-and-a-half years ago, in September 2003, 13.5 percent of our sworn members were unavailable for full duty. By January 2006, that figure had been reduced to just over 7 percent. It is also significant to note that most of people in that group are members who are on limited duty; they are still able to perform a useful function for the Department, even if they are not yet ready to return to full duty as a police officer. Less than 2 percent of the total sworn workforce is currently unable to work at all. These improvements have been largely the result of new protocols to monitor and evaluate sick leave and limited duty status, as well as better management of these cases by our Office of Human Services.

Human Services is also overseeing our ongoing civilianization program. Since the fourth quarter of FY 05, we have hired 65 civilians to fill positions previously held by sworn members. Of the remaining 18 positions to fill in the first civilianization wave, applicants for 10 positions are in background investigations and eight positions are being advertised. Later this year, we anticipate that 12 sworn MPD members who are currently assigned to the Office of Unified Communications will be available for other assignments, provided the OUC is able to civilianize those positions as planned.

These and other improvements in staffing are helping us to put more resources where they are needed most – out in our neighborhoods, in direct support of community policing. Last year, I reported on the restructuring of our Police Service Areas (or PSAs). I am pleased to report this year that the new structure for community policing in DC continues to produce results. Staffing in the PSAs for officers and lieutenants has met, or even exceeded, original targets. And with recent promotions, we are adding more sergeants to the PSAs, thus enhancing the overall quality of supervision and leadership as well.

We also remain vigilant in monitoring the PSAs and flexible in how we organize and deploy our resources. Just this month, based on input from the community and police personnel, we divided the former PSA 502 in Northeast DC and created two PSAs there. Our concern was that the old PSA was too large and cut across too many communities to be as effective as we had originally hoped. We are confident that crime fighting and community policing will improve under this new structure in the Fifth District.

Other significant community policing efforts during the year included regular "Operation Fight Backs" and drug free zones. Operation Fight Back involves multiple government agencies and community groups coming together for a concerted attack on crime and disorder problems in a community for a given day. These operations not only serve to correct quality-of-life concerns in

the community, but also help to generate public confidence in the police. Community outreach is an important responsibility for the Department. Over the past year, the MPD finalized our Senior Citizen Police Academy, and trained and graduated our first class of 35 senior volunteers. They are now supporting a variety of community policing initiatives in our Department. Our next class of 30 seniors begins training next month. In addition, we have expanded our use of community listservs, we continued to promote and support citizen patrols, and once again we had an award-winning performance on National Night Out against crime in August.

Community policing is the operating philosophy of the Metropolitan Police Department. And – as demonstrated by our continued reduction in crime and other performance improvements – our approach to community policing is producing tangible safety results in our communities.

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Of course, in Washington, D.C., perhaps like no other city in the country, the police department must balance community policing and homeland security. We must be prepared to prevent and respond to a terrorist attack. In fact, I recently revised our Departmental Mission Statement to reflect our commitment to community policing and terrorism prevention. We continue to focus on equipping and training our personnel in terrorism prevention and response, and we conduct regular briefings and exercises to practice what we are training on.

Our Department successfully handled several major events during FY 05 and into FY 06. These included the 2004 Presidential elections, the 2005 Presidential Inauguration, three meetings of the IMF and World Bank, and various anti-war demonstrations. This past September, the Office of Police Complaints monitored the MPD's performance during anti-war and anti-globalization protests in the District. The Police Complaints Board was given authority to monitor and evaluate MPD's handling of demonstrations through the First Amendment Rights and Police Standards Act of 2004. In its report, the OPC was very complimentary to our agency, saying that "the MPD performed in a professional manner and had constructive dealings with the protesters." I continue to be very proud of how our officers handle the myriad challenges and responsibilities they face – challenges and responsibilities that, quite frankly, no other police department in the country must confront on such a regular basis.

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Finally, I want to address one administrative issue that has been in the news of late, and which has been of ongoing interest to the Committee. That is the issue of police overtime.

Over the past several years, MPD has been both vigilant and successful in reducing the number of hours our officers engage in overtime. In FY 2000, MPD used more than 900,000 hours of overtime. By FY 2005, that number had been cut by more than one-third, to fewer than 600,000 hours. With a decrease of more than 19,000 locally funded hours in FY 2005, the OCFO estimates a savings of almost half a million dollars in local funds. This was achieved despite the retroactive pay raises established by the collective bargaining agreement between the union and the MPD and approved by

the Council. As a result, the FY 2005 costs were skewed because they included some prior year costs.

The Department continues to achieve significant reductions in court overtime hours, even as arrest activity has increased. In FY 2005, court overtime dropped another 21 percent. Total court overtime hours have dropped 59 percent since FY 2000. On average, officers spent 2.1 hours in court per arrest in FY 2005, compared to 5.3 hours per arrest in FY 2002. Unless other stakeholders are committed to radically changing this process, I do not think MPD can decrease this much further. All things being equal, officers still have to go to court when they make arrests.

I think we all need to keep in mind a few things about police overtime. First, overtime enables our Department to quickly respond to both critical emergencies and emerging crime and disorder problems in our communities. Overtime is essential for a variety of traffic safety efforts, including photo radar, sobriety checkpoints, and seat belt and child safety seat compliance. Overtime is also used for so-called “reimbursable details,” in which nightclubs, sports teams and other venues reimburse the Department for extra police coverage outside their events, or when the federal government reimburses us for overtime associated with major events, such as demonstrations, inaugurations and the like.

In many of these cases, the use of overtime actually allows us to keep more of our uniformed officers in their PSAs or other operational assignments. Without overtime, we would have to pull on-duty officers out of our communities in order to carry out these other public safety initiatives. Furthermore, most of these initiatives are funded not through local tax dollars, but rather through grants, reimbursements or, in the case of photo radar, fines paid by speeding violators. In fact, more than 60 percent of all FY 2005 overtime hours were reimbursable through grants, Federal funds, or other sources (sporting events, night clubs, etc.).

Of the remaining overtime hours in FY 2005, about half was used for court overtime, when officers who have made arrests or investigated crimes need to appear in court to support the prosecution of criminal cases. The remaining locally-funded, non-court overtime has sometimes been called “discretionary,” but I think that is a misnomer. The majority of this overtime—more than 60 percent—was spent in the District’s neighborhoods, addressing persistent or emerging crime problems, or investigating crimes. The remainder included coverage of polling stations during the 2004 elections and court-mandated care of MPD canines.

And despite recent media reports questioning the amount of overtime earned by some of our officers, audits by our Office of Professional Responsibility have found no instances in which these members violated any Departmental policies or regulations. Television coverage focused on the top overtime earner in the MPD, Master Patrol Officer Frank Buentello. I believe the city is very fortunate to have an officer as dedicated as MPO Buentello, who will celebrate his 40<sup>th</sup> year of service with the Department next month. Though some people might be slowing down after working for 40 years, he clearly is not.

There is no doubt that MPO Buentello works a considerable amount of overtime, but I’d like to share a bit more information with you that the media didn’t cover. With 40 years of service, he has

seniority over most of the force, and a high-priority in selecting overtime options. His 40 years of service also means that he has earned longevity pay, which is factored into his hourly overtime rate. Most importantly, almost 75 percent of his overtime was not funded by local tax dollars, as it was earned through reimbursable or grant-funded details.

Lastly, the media coverage mischaracterizes the portion of his pay earned from overtime. Based on his base salary, his longevity pay, and the retroactive payment, he would have earned more than \$100,000 even if he had not worked any overtime in FY 2005. His overtime earnings also included retroactive overtime pay, per the collective bargaining agreement, and mandatory buy-downs of his comp hours. Yes, MPO Buentello worked a lot of overtime in FY 2005 and throughout his career. But I certainly wouldn't mind if everyone were as dedicated to the Department and the city as he is.

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In closing, let me re-emphasize that the MPD's substantial accomplishments over the past year in crime fighting and community policing could not have been possible without the strong support of the Mayor, the Council, and this Committee and its leadership, as well as our government and community partners. Working together, we have achieved a safer city, a more livable city, and a city that is better prepared for the challenges that lie ahead.

My goals for this year include further reductions in juvenile crime and violence, further improvements in crime solving, and further enhancements in our use of technology. Most of all, I look forward to building on the solid foundation of neighborhood safety that we have achieved over the past several years.

Thank you again for the opportunity to read this statement into the record. My staff and I will be happy to answer your questions.